

ORDINANCE NO. 1796

AN ORDINANCE TO PROVIDE FOR THE CODIFICATION OF THE ORDINANCES OF THE TOWN OF BRIDGEVILLE, COUNTY OF SUSSEX, INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF BRIDGEVILLE"

The Commissioners of Bridgeville hereby ordain:

ARTICLE I
Adoption of Code

§ 1-1. Adoption of Code.

The ordinances of the Town of Bridgeville, County of Sussex, State of Delaware, of a general and permanent nature, adopted by the Board of Commissioners of the Town of Bridgeville, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp. and consisting of Chapters 1 through 234, together with an Appendix, are hereby approved, adopted, ordained and enacted as the Code of the Town of Bridgeville, hereinafter known and referred to as the "Code."

§ 1-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Commissioners of the Town of Bridgeville, and it is the intention of said Board of Commissioners that each such provision contained within the Code is hereby reaffirmed as it appears in the Code.

§ 1-3. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Bridgeville and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Town Clerk of the Town of Bridgeville by impressing thereon the Seal of the town, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times when said Code is in effect.

§ 1-4. Amendments to Code.

Any and all additions, deletions, amendments or supplements to the Code or any new ordinances, when enacted or adopted in such form as to indicate the intention of the Board of Commissioners to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to

the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-5. Code book to be kept up-to-date.

It shall be the duty of the Town Clerk or such other authorized person to keep up-to-date the certified copy of the book containing the Code of the Town of Bridgeville required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all ordinances adopted by the Board of Commissioners subsequent to the enactment of this ordinance in such form as to indicate the intention of said Board of Commissioners to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes or ordinances until such changes or ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-6. Severability.

A. Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part thereof.

B. Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-7. Inconsistent ordinances repealed.

All ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Bridgeville which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

§ 1-8. Changes in previously adopted ordinances.

A. In compiling and preparing the ordinances of the Town of Bridgeville for adoption and revision as part of the Code, certain grammatical and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Board of Commissioners that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally adopted to read as such.

B. In addition, the following changes, amendments or revisions are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

(1) Chapter 19, Emergency Management, is hereby adopted to read as follows:

§ 19-1. Emergency measures.

The President of the Commissioners be, and he or she is hereby, authorized and directed to put into effect any or all of the following emergency measures if incidents occur which endanger the

peace and order of the Town of Bridgeville or the danger or destruction to either public or private property:

- A. Establish a curfew in any area or all of the Town of Bridgeville for all persons pursuant to which no person shall be on the streets of the Town of Bridgeville between the hours set forth in said curfew.
- B. Employ such policemen to protect the citizens of the Town of Bridgeville and both the public and private property.
- C. Restrict travel, both vehicular and pedestrian, in areas which are or may become the subject of such incidents or endanger the well being, health or safety of the citizens of the Town of Bridgeville.
- D. Request such assistance and aid from agencies of the State of Delaware as is necessary to protect the health and safety of the citizens of the Town of Bridgeville or public or private property.
- E. Prohibit the sales of alcoholic beverages either for consumption on or off premises where they are sold.
- F. Prohibit the sale of gasoline, fuel oil or kerosene.
- G. Prohibit the gathering of more than ten (10) persons on any public street, public park or other open areas, either public or private.

§ 19-2. Violations and penalties.

Any person violating any of the provisions of this chapter after any such provision has been put into effect by the President of the Commissioners of Bridgeville shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars (\$100.) nor more than five hundred dollars (\$500.) and shall pay the cost of prosecution.

(2) Chapter 53, Professional Services, is hereby adopted to read as follows:

§ 53-1. Evaluation of applicants.

In accordance with Chapter 69, Title 29, Delaware Code, Subchapter 11, entitled "Professional Services Negotiation Act," the President and Commissioners of the Town of Bridgeville hereby adopt administrative procedures for the evaluation of applicants to perform professional services for the Town of Bridgeville. These procedures are as follows:

- A. On each occasion when professional services having an estimated cost in excess of five thousand dollars (\$5,000.) are required, a public announcement shall be made in accordance with the requirements of the Delaware Code and other rules and regulations as applicable.
- B. For each proposed project, the President shall appoint, subject to confirmation by an affirmative action of the Commissioners, an Evaluation and Selection Board.
- C. The Board shall evaluate the qualifications and performance data submitted by firms responding to the public announcement, together with such data on file at the town and, if necessary, shall conduct discussion with selected firms regarding their qualifications,

approach to the project and ability to furnish the required service. Professional service compensation shall not be considered in these discussions.

- D. The following criteria, weighted as appropriate for the project, should be utilized by the Board in ranking the applicants under consideration:
 - (1) Experience and reputation.
 - (2) Expertise with the particular project under consideration.
 - (3) Capacity to meet the requirements of the project.
 - (4) Locations of the firm's staff or resources.
 - (5) Demonstrated ability.
 - (6) Familiarity with public works projects for the town.
 - (7) Broadening of the distribution of the town's work to individuals and firms.
 - (8) Other criteria which the Board may consider appropriate for the projects involved.
- E. The Board shall advise the President and Commissioners of the qualified firm designated first on the Board's preference list. The other qualified firms and their ranking shall not be disclosed publicly or otherwise at this time.
- F. Should the President and Commissioners be unable to negotiate a satisfactory contract with the qualified firm designated as first on the Board's preference list, the President and Commissioners shall formally terminate negotiations with that firm. The Board shall then advise the President and Commissioners of the qualified firm designated as second on the Board's preference list. If the President and Commissioners should again be unable to negotiate a satisfactory contract, the negotiations with the second firm shall be formally terminated. The Board shall then advise the President and Commissioners of the qualified firm designated as third on the preference list and the process shall continue until the President and Commissioners have negotiated a satisfactory contract with the qualified firm designated highest on the Board's preference list.
- G. Within ten (10) days after awarding the contract for the professional services, the President and Commissioners shall publish a public notice regarding this decision as required by the Delaware Code.
- H. The President and Commissioners and/or the Boards shall otherwise comply with the requirements of all federal, state and local laws, rules, regulations, etc., applying to the projects under consideration.

(3) Chapter 70, Advertising, Outdoor [Ord. No. 549]:

(a) Section 70-2 [original Section (2)] is hereby amended to delete the words "the Southern Standard Building Code, as adopted, and by" and to change the final word "adopted" to "amended."

(4) Chapter 76, Alcoholic Beverages [Ord. No. 535]:

(a) Original Sections (1), (2) and (3) are hereby deleted.

(5) Chapter 80, Amusement Devices [Ord. No. 530]:

(a) Section 80-1 [original Section 1] is hereby amended to delete the words “for the revenue.”

(b) Section 80-6 [original Section 6] is hereby amended to delete the penalty provisions therefrom.

(6) Chapter 96, Building Construction (originally adopted as Ord. No. 539-A), is hereby readopted to read as follows:

§ 96-1. Statement of intent.

- A. It shall be unlawful for any person, partnership, business or corporation to undertake or cause to be undertaken the construction, reconstruction, enlargement, alteration or relocation of any building or structure unless an approved building permit has been obtained from the Municipal Building Permit Official.
- B. A building permit shall not be required for repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

§ 96-2. Definitions.

For the purposes of this chapter, the following definitions shall apply:

BUILDING — A combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.

PERSON — Any person, persons, partnership, business or corporation.

STRUCTURE — A combination of materials to form anything permanently affixed to or in the ground or to any other building or structure permanently affixed to or in the ground. Included shall be such things as driveways, carports, porches, swimming pools, etc.

§ 96-3. Application procedure.

Application for such a building permit shall be made in writing to the Building Official on forms supplied by the municipality. Such application shall contain at least the following:

- A. The name and address of the applicant.
- B. The name and address of owner of land on which the proposed construction is to occur.
- C. The name and address of the contractor.
- D. Site location.
- E. A brief description of proposed work and the estimated cost.
- F. A plan of the site showing the exact size and location of the proposed construction, as well as any existing building or structures.

§ 96-4. Issuance of permit.

The Building Official shall issue a building permit only after it has been determined that the proposed construction will be in conformance with all applicable requirements and regulations.

§ 96-5. Permit changes.

After the issuance of a building permit by the Building Official, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Building Official.

§ 96-6. Placards.

In addition to the building permit, the Building Official shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Building Official.

§ 96-7. Start of construction.

Work on the proposed construction shall begin within six (6) months after the date of issuance of the building permit, or the permit shall expire unless a time extension is granted, in writing, by the Building Official. Construction shall be considered to have started with the first placement of permanent construction of the site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling; excavation for basement, footings, piers or foundations; erection of temporary forms; the installation of sewer, gas and water pipes or electric or other service lines from the street.

§ 96-8. Inspection and revocation.

During the construction period, the Building Official or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. In the event that the Building Official discovers that the work does not comply with the permit application or any applicable laws and ordinances or that there has been a false statement or misrepresentation by any applicant, the Building Official shall revoke the building permit and report such fact to the Commissioners for whatever action it considers necessary.

§ 96-9. Fees.

Applications for a building permit shall be accompanied by a fee, payable to the municipality, based upon the estimated cost of the proposed construction as determined by the Building Official at the following rates:

Total Valuation	Permit Fee
\$ 1,000	\$ 5.00

2,000	7.00
3,000	9.00
4,000	11.00
5,000	13.00
6,000	15.00
7,000	17.00
8,000	19.00
9,000	21.00
10,000	23.00
11,000	25.00
12,000	27.00
13,000	29.00
14,000	31.00
15,000	33.00
16,000	35.00
17,000	37.00
18,000	39.00
19,000	41.00
20,000	43.00
21,000	45.00
22,000	47.00
23,000	49.00
24,000	51.00
25,000	53.00
26,000	55.00
27,000	57.00
28,000	59.00

29,000	61.00
30,000	63.00
31,000	65.00
32,000	67.00
33,000	69.00
34,000	71.00
35,000	73.00
36,000	75.00
37,000	77.00
38,000	79.00
39,000	81.00
40,000	83.00
41,000	85.00
42,000	87.00
43,000	89.00
44,000	91.00
45,000	93.00
46,000	95.00
47,000	97.00
48,000	99.00
49,000	101.00
50,000	103.00
51,000	105.00
52,000	107.00
53,000	109.00
54,000	111.00
55,000	113.00

56,000	115.00
57,000	117.00
58,000	119.00
59,000	121.00
60,000	123.00
61,000	125.00
62,000	127.00
63,000	129.00
64,000	131.00
65,000	133.00
66,000	135.00
67,000	137.00
68,000	139.00
69,000	141.00
70,000	143.00
71,000	145.00
72,000	147.00
73,000	149.00
74,000	151.00
75,000	153.00
76,000	155.00
77,000	157.00
78,000	159.00
79,000	161.00
80,000	163.00
81,000	165.00
82,000	167.00

83,000	169.00
84,000	171.00
85,000	173.00
86,000	175.00
87,000	177.00
88,000	179.00
89,000	181.00
90,000	183.00
91,000	185.00
92,000	187.00
93,000	189.00
94,000	191.00
95,000	193.00
96,000	195.00
97,000	197.00
98,000	199.00
99,000	201.00

\$100,000 to \$500,000: \$203.00, plus \$2.00 for each additional \$1,000.00.

§ 96-10. Appeal.

Any person aggrieved by the Building Official's estimate of the cost of the proposed construction may appeal to the Commissioners. Such appeal must be filed in writing, within thirty (30) days after the determination by the Building Official. Upon receipt of such appeal, the Commissioners shall set a time and place, not less than ten (10) nor more than thirty (30) days, for the purpose of the hearing of the appeal, notice shall be given to all parties at which time they may appear and be heard. The determination of the estimated cost by the Commissioners shall be final in all cases.

§ 96-11. Violations and penalties.

All persons who fail to comply with any or all of the requirements or provisions of this chapter or who fail or refuse to comply with any notice, order or direction of the Building Official or any other authorized employee of the municipality shall be guilty of an offense and, upon conviction, shall pay a fine to the Town of Bridgeville of not less than twenty-five dollars (\$25.) nor more

than one hundred dollars (\$100.), plus costs or prosecution. Each day during which any violation of this chapter continues shall constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this chapter. The imposition of a fine for any violation of or noncompliance shall not excuse the violation nor permit it to continue, and all such persons shall be required to correct or remedy such violations and noncompliances within a reasonable time. Any structure or building constructed, reconstructed, enlarged, altered or relocated in noncompliance with this chapter may be declared by the Commissioners to be a public nuisance and abatable as such.

(7) Chapter 114, Curfew [Ord. No. 520]:

(a) Original Section 10 is hereby deleted.

(8) Chapter 132, Fences [Ord. No. 550]:

(a) Section 132-7 [original Section 7] is hereby amended to raise the minimum fine of ten dollars (\$10.) to twenty-five dollars (\$25.).

(9) Chapter 138, Flood Damage Prevention [Ord. of 4-10-1991]:

(a) Section 138-5 [original Section 3.1] is hereby amended to insert the date June 16, 1995 in the third blank line thereof.

(b) Section 138-21 [original Section 7.8] is hereby amended to read as follows:

§ 138-21. Fees.

Application for a building permit shall be accompanied by a fee, payable to the Town of Bridgeville as provided in Chapter 96, Building Construction.

(10) Chapter 172, Peddling and Soliciting [Ord. No. 553]:

(a) Section 172-4 [original Section 5] is hereby amended to replace the words "of ten dollars (\$10.00)" with the words "as provided in Chapter 128, Fees."

(11) Chapter 190, Sewers.

(a) Article I, Connections. [Ord. No. 532]

[1] Section 190-7E [original Section 7(e)] is hereby amended to change "5.5" to "6.5" and to change "9.0" to "8.5".

(b) Article II, Wastewater Pretreatment Standards. [Ord. of 6-13-1994]

[1] Section 190-14 [original Section 1.3] is hereby amended to delete the definition of Town in original Subsection F.

(12) Chapter 200, Solid Waste [Ord. No. 588]

(a) Section 200-27 [original Section 27] is hereby amended to add original Subsection (b) of original Section 10 as a new Subsection C under § 200-27.

(13) Chapter 210, Taxation [Ord. No. 546]

(a) Section 210-1 [original Section 1] is hereby amended to change the words "...and has an income of..." to read "...and has an income not in excess of three thousand dollars (\$3,000.) per year or the income of..."

(b) Section 210-3A [original Section 3] is hereby amended to add the word "exempt" immediately following the the words "such applicant shall remain" in the first line thereof.

(14) Chapter 222, Vehicles and Traffic.

(a) Article I, Definitions. [Ord. No. 582]

[1] In § 222-1, the definition of "Operator" [original Section 582-101(23)] is hereby amended to change "ordinance 590" to "21 Del. c.29."

[2] In § 222-1, the definition of "School bus" [original Section 582-101(51)] is hereby amended to change "ordinance 589(a)" to "21 Del. c.43 § 4362, which is painted with national school bus chrome yellow as specified under 21 Del. c.43 § 4363(a), which is"; and to change "by ordinance 589" to "under 21 Del. c.43 § 4364"; and to change "ordinance 589(b)" to "21 Del. c.43 § 4363(b)."

[3] In § 222-1, the definition of "Moped" [original Section 582-101(53)] is hereby amended to change "over 20 inches in" to "10 inches or more in maximum" and to change "1.5" to "2.7".

[4] In § 222-1, the definition of "Triped" [original Section 582-101(61)] is hereby amended to change "over 20 inches in" to "10 inches or more in maximum" and to change "1.5" to "2.7".

(b) Article II, Enforcement, Arrest, Bail and Appeal. [Ord. No. 584]

[1] Section 222-9B(1) [original Section 584-709(b)(1)] is hereby amended to add the words "Chapter 90 of Title 11" to the end of that subsection.

[2] Section 222-9E [original Section 584-709(e)] is hereby amended to change the words "in this ordinance" to read "in this Article, and all motor vehicle offenses falling within the scope of 30 Del. c.52 § 5211(a)"; and to change all references to "Ordinance 586-" to refer to 21 Del. c.27, § 41; and to change all references to "Ordinance 587-41" to refer to "21 Del. c.41, § 41"; and to change all references to "Ordinance 587-42" to refer to "21 Del. c.41, § 42".

[3] Section 222-9H [original Section 584-709(h)] is hereby amended to change "as provided for in Title 21 Motor Vehicle Fines Payable by Mail of the Delaware Code Annotated" to read "of eight dollars and fifty cents (\$8.50)"; and to add the words "Chapter 90 of Title 11" to the end of that subsection.

(c) Article III, Registration and Titles of Vehicles. [Ord. No. 585]

[1] Section 222-13 [original Section 585-2109(a)] is hereby amended to change the words "12 or 6 months" to read "twenty-four (24) months, twelve (12) months or six (6) months".

[2] Section 222-14 [original Section 585-2113] is hereby amended to read as follows:

§ 222-14. Use of farm truck registered at reduced fee.

Farmers may register vehicles for farm use in the following manner:

- A. Farm truck license plates (FT tags). Farmers may qualify for the reduced registration fee for FT license tags if they derive seventy percent (70%) or more of their income from the operation of their farm. The truck must be used exclusively in the operation of the farm. Farmers cannot hire or rent the farm truck or permit the truck to be used for hauling merchandise, farm products or other items whatsoever under rent, hire or for pay, or shall use such motor farm trucks for any use except in the operation of the farms owned or rented by the registered owner of such trucks or in aid of and assistance to other farmers for harvest purposes.
- B. Farm vehicles exempt from inspection and registration. The requirement for registration and inspection of farm motor vehicles, vehicles or trailers is waived for those motor vehicles, vehicles or trailers if they are:
 - (1) Not used for hire;
 - (2) Operated or towed upon the public highways or roads within a ten (10) mile radius of a farm owned or managed by the owner of the vehicles; and
 - (3) Properly equipped with a stop light, turn signals and brakes which are in a safe operating condition.

[3] Section 222-16 [original Section 585-2116(a)] is hereby amended to delete the words "and be imprisoned as provided therein or both."

[4] Section 222-17D [original Section 585-2117(d)] is hereby amended to change "\$150.00" to "one thousand five hundred dollars (\$1,500.)"; to change "\$1,000.00" to "two thousand dollars (\$2,000.)"; to delete the words "or imprisoned not less than 10 nor more than 30 days, or both"; to change "\$500.00" to "three thousand dollars (\$3,000.)"; to change "3 months" to "six (6) months"; to change "\$2,000.00" to "four thousand dollars (\$4,000.)"; and to delete the words "or imprisoned not less than 30 nor more than 60 days, or both, and shall have his driving license and/or privileges suspended for 6 months."

[5] Section 222-20 [original Section 585-2501] is hereby amended to delete the words "or imprisoned not less than 30 days nor more than 90 days or both"; and to delete the words "or imprisoned not less than 90 days nor more than 6 months or both."

(d) Article IV, Operating and Equipment/Rules of the Road. [Ord. No. 587]

[1] Section 222-23B [original Section 587-4103(b)] is hereby amended to change "\$250.00" to "five hundred seventy-five dollars (\$575.)"; to change "\$1,000.00" to "two thousand dollars (\$2,000.)"; to delete the words "or imprisoned for not more than 3 months or both"; to change "\$500.00" to "one thousand one hundred fifty dollars (\$1,150.)"; to change "\$2,000.00" to "four thousand three hundred fifty dollars (\$4,350.)"; and to delete the words "and imprisoned for not more than 6 months."

[2] Section 222-24E [original Section 587-4105(e)] is hereby amended to change "not less than \$100.00 nor more than \$500.00" to read "not less than one hundred fifteen dollars (\$115.) nor more than five hundred seventy-five dollars (\$575.)."

[3] Section 222-27A(1)(b) [original Section 587-4108(a)(1)(b)] is hereby amended to change "4109 of this ordinance" to read "§ 4109 of Title 21 of the Delaware Code Annotated."

[4] Section 222-28A(2) [original Section 587-4110(a)(2)] is hereby amended to add the words "or green" immediately following both appearances of the word "yellow".

[5] Section 222-30 [original Section 587-4112] is hereby amended to change "\$50.00" to "fifty-seven dollars and fifty cents (\$57.50)"; to change "\$200.00" to "two hundred thirty dollars (\$230.)"; to delete the words "or imprisoned for not more than 10 days, or both"; to change "\$100.00" to "one hundred fifteen dollars (\$115.)"; to change "\$400.00" to "four hundred sixty dollars (\$460.)"; and to delete the words "or imprisoned for not more than 30 days, or both."

[6] Section 222-39B [original Section 587-4123(b)] is hereby amended to change "\$25.00" to "twenty-eight dollars and seventy-five cents (\$28.75)"; to change "\$200.00" to "two hundred thirty dollars (\$230.)"; to delete the words "or imprisoned for not less than 10 days nor more than 30 days or both"; to change "\$50.00" to "fifty-seven dollars and fifty cents (\$57.50)"; to change "\$500.00" to "five hundred seventy-five dollars (\$575.)"; and to delete the words "or imprisoned for not less than 10 days or more than 60 days or both."

[7] Section 222-49E [original Section 587-4146(e)] is hereby amended to change "\$25.00" to "twenty-eight dollars and seventy-five cents (\$28.75)."

[8] Section 222-64H [original Section 587-4166(i)] is hereby amended to change "\$100.00" to "one hundred fifteen dollars (\$115.)"; to change "\$200.00" to "two hundred thirty dollars (\$230.)"; to delete the words "or imprisoned not less than 30 days nor more than 60 days or both"; to change "\$100.00" to "one hundred fifteen dollars (\$115.)"; to change "\$500.00" to "five hundred seventy-five dollars (\$575.)"; and to delete the words "and imprisoned not less than 60 days nor more than 6 months."

[9] Section 222-66C(1) [original Section 587-4169(c)(1)] is hereby amended to delete the words "or be imprisoned not less than 10 nor more than 30 days or both."

[10] Section 222-66C(4) [original Section 587-4169(c)(4)] is hereby amended to change "20 miles per hour" to "19 miles per hour."

[11] Section 222-69D [original Section 587-4172(d)] is hereby amended to delete the words "or imprisoned not less ten (10) days nor more than thirty (30) days, or both."

[12] Section 222-70C [original Section 587-4172A(c)] is hereby amended to delete the words "or imprisoned not less than ten (10) days nor more than thirty (30) days, or both" and to delete the words "or imprisoned not less than fifteen (15) days, nor more than sixty (60) days, or both."

[13] Section 222-70D [original Section 587-4172A(d)] is hereby amended to change "twenty-five dollars (\$25.00)" to "twenty-eight dollars and seventy-five cents (\$28.75)"; to change "two hundred dollars (\$200.00)" to "two hundred thirty dollars (\$230.)"; to

delete the words "or imprisoned not less than ten (10) days nor more than thirty (30) days, or both"; to change "fifty dollars (\$50.00)" to "fifty-seven dollars and fifty cents (\$57.50)"; to change "four hundred dollars (\$400.00)" to "four hundred sixty dollars (\$460.)"; and to delete the words "or imprisoned not less than fifteen (15) days nor more than sixty (60) days, or both."

[14] Section 222-72B [original Section 587-4175(b)] is hereby amended to delete the words "or be imprisoned not less than 10 nor more than 30 days or both"; and to delete the words "or be imprisoned not less than 30 days nor more than 60 days or both"; and to delete the words "However, for the first offense, the period of imprisonment may be suspended."

[15] Section 222-73C [original Section 587-4176(c)] is hereby amended to change "\$100.00" to "one hundred fifteen dollars (\$115.)"; and to change "\$200.00" to "two hundred thirty dollars (\$230.)"; and to delete the words "or imprisonment for not less than 10 nor more than 30 days or both."

[16] Section 222-74D(1) [original Section 587-4177(d)(1)] is hereby amended to change "\$200.00" to "two hundred thirty dollars (\$230.)"; and to change "\$1,000.00" to "one thousand one hundred fifty dollars (\$1,150.)"; and to delete the words "or imprisoned not less than 60 days nor more than six months or both."

[17] Section 222-74D(2) [original Section 587-4177(d)(2)] is hereby amended to change "\$500.00" to "five hundred seventy-five dollars (\$575.)"; and to change "\$2,000.00" to "two thousand three hundred dollars (\$2,300.)"; and to delete the words "and imprisoned not less than 60 days nor more than 18 months."

[18] Section 222-76E [original Section 587-4177B(e)] is hereby amended to delete the words "if occurring within 10 years from the subsequent offense."

[19] Section 222-76F [original Section 587-4177B(f)] is hereby amended to change "subsection (a)(27)" to "Subsection A(2)."

[20] Section 222-79(a) [original Section 587-4177E(a)] is hereby amended to change "pursuant to 4177B and/or 2742 of this ordinance and ordinance No. 586" to "pursuant to § 222-76 and/or § 2742 of Title 21 of the Delaware Code Annotated"; and to change "pursuant to 4177C and/or 2743 of this ordinance and ordinance No. 586" to "pursuant to § 222-77 and/or § 2743 of Title 21 of the Delaware Code Annotated."

[21] Section 222-79C [original Section 587-4177E(c)] is hereby amended to change "\$25.00" to "twenty-eight dollars and seventy-five cents (\$28.75)"; and to change "\$200.00" to "two hundred thirty dollars (\$230.)."

[22] Section 222-82D [original Section 587-4180(d)] is hereby amended to add to the very beginning thereof the words "The Department of Transportation may place".

[23] Section 222-84B [original Section 587-4183(b)] is hereby amended to change "section 2134" to "21 Del. § 2134"; and to change "section 2135" to "21 Del. § 2135."

[24] Section 222-84C [original Section 587-4183(c)] is hereby amended to change "\$25.00" to "fifty dollars (\$50.)"; and to change "\$50.00" to "one hundred dollars (\$100.)."

[25] Section 222-88C [original Section 587-4188(c)] is hereby amended to change “\$25.00” to “twenty-eight dollars and seventy-five cents (\$28.75)”; and to change “\$100.00” to “one hundred fifteen dollars (\$115.).”

[26] Section 222-89G [original Section 587-4189(g)] is hereby amended to change “\$100.00” to “one hundred fifteen dollars (\$115.);” to change “\$250.00” to “two hundred eighty-seven dollars and fifty cents (\$287.50);” to change “\$400.00” to “four hundred sixty dollars (\$460.);” to change “\$600.00” to “six hundred ninety dollars (\$690.);” to change “\$500.00” to “five hundred seventy-five dollars (\$575.);” and to change “\$1,000.00” to “one thousand one hundred fifty dollars (\$1,150.).”

[27] Section 222-111C [original Section 587-4199C(c)] is hereby amended to change “twenty-five dollars (\$25.00)” to “twenty-eight dollars and seventy-five cents (\$28.75).”

(e) Article V, Reporting Accidents. [Ord. No. 588]

[1] Section 222-113B [original Section 588-4202(b)] is hereby amended to change “\$100.00” to “one hundred fifteen dollars (\$115.);” and to change “\$5,000.00” to “five thousand seven hundred fifty dollars (\$5,750.);” and to delete the words “or imprisoned for not less than 30 days nor more than 5 years, or both.”

[2] Section 222-115A [original Section 588-4205(a)] is hereby amended to change “\$100.00” to “one hundred fifteen dollars (\$115.);” and to change “\$50.00” to “fifty-seven dollars and fifty cents (\$57.50);” and to change “\$200.00” to “two hundred thirty dollars (\$230.);” and to delete the words “or imprisoned not less than 10 nor more than 30 days or both.”

(f) Article VI, Equipment and Construction. [Ord. No. 589]

[1] Section 222-129A [original Section 589-4315(a)] is hereby amended to change “\$100.00” to “one hundred fifteen dollars (\$115.);” and to change “\$50.00” to “fifty-seven dollars and fifty cents (\$57.50);” and to change “\$200.00” to “two hundred thirty dollars (\$230.);” and to delete the words “or imprisoned not less than 10 nor more than 30 days or both.”

[2] Section 222-129B and C [original Section 589-4315(b) and (c)] are hereby amended to change all three appearances of “\$25.00” to read “twenty-eight dollars and seventy-five cents (\$28.75).”

[3] Section 222-131E [original Section 589-4317(e)] is hereby amended to change both appearances of “\$25.00” to read “twenty-eight dollars and seventy-five cents (\$28.75).”

[4] Section 222-132A [original Section 589-4318(a)] is hereby amended to change the reference to “section 2196 of ordinance No. 582” to refer to “21 Del. c.21, § 2196.”

[5] Section 222-132B [original Section 589-4318(b)] is hereby amended to change “\$10.00” to “eleven dollars and fifty cents (\$11.50);” and to change “\$100.00” to “one hundred fifteen dollars (\$115.);” and to delete the words “or imprisoned not less than 10 nor more than 30 days, or both;” and to change “\$50.00” to “fifty-seven dollars and fifty cents (\$57.50);” and to change “\$200.00” to “\$230.”; and to delete the words “or imprisoned not less than 15 nor more than 30 days, or both.”

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[6] Section 222-138 [original Section 589-4336] is hereby amended to change the reference to "589-4347 of this ordinance" to refer to "21 Del. § 4347."

[7] Section 222-139 [original Section 589-4337] is hereby amended to change the reference to "589-4338, 4339, 4340, 4341 and 582C-4342 of this ordinance" to refer to "21 Del. §§ 4338, 4339, 4340, 4341 and 4342" and to add the words "trucks, truck tractors and certain trailers, semitrailers and pole trailers," immediately following the words "passenger buses".

[8] Section 222-150 [original Section 589-4358] is hereby amended to change both appearances of "\$25.00" to read "twenty-eight dollars and seventy-five cents (\$28.75)."

[9] Section 222-151B [original Section 589-4371(b)] is hereby amended to change both appearances of "\$25.00" to read "twenty-eight dollars and seventy-five cents (\$28.75)."

[10] Section 222-152 [original Section 589-4372] is hereby amended to change "\$100.00" to "one hundred fifteen dollars (\$115.); and to delete the words "or imprisoned not more than 30 days or both."

(15) Chapter 228, Water:

(a) Article I, Water System Connections and Water Use. [Ord. No. 531]

[1] Section 228-1 [original Section 1] is hereby amended to change "ninety (90) days" to "sixty (60) days."

[2] Section 228-7 [original Section 7] is hereby amended to delete the words "or be imprisoned for a period of not less than five (5) and not more than thirty (30) days, or both."

(b) Article II, Water Connection Permits. [Ord. No. 531-A]

[1] Section 228-10F [original Section 1, Subsection f)] is hereby amended to change the words "this code" to read "this Article and all other applicable codes and ordinances."

(16) Chapter 234, Zoning [Ord. of 12-8-1962]:

(a) All appearances of the term "zoning administrative officer" are hereby changed to "Zoning Officer" throughout this chapter.

(b) All appearances of the term "trailer" are hereby changed to add the term "(mobile home)" immediately thereafter.

(c) In § 234-5, the definition of "Nonconforming building or use" [original Section 1100, Subdivision 16] is hereby amended to change the words "or a building existing" to read "or a building legally existing" and to add the words "or an amendment thereto" to the end of the definition.

(d) Section 234-5 [original Section 1100] is hereby amended to add the following new definition:

(e) "TRAILER (MOBILE HOME) — A movable or portable dwelling over four hundred fifty (450) square feet in size, constructed to be towed on its own chassis, connected to utilities and designed without a permanent foundation for year-round occupancy, which can consist of one (1) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity or of two (2) or more units separately towable but designed to be joined into one (1) integral unit."

(f) Section 234-5 [original Section 1100] is hereby amended to add a new definition of "Zoning Officer" to read as follows:

(g) "ZONING OFFICER — The person appointed by the Town Commissioners to enforce this chapter."

(h) Section 234-6 [original Section 201] is hereby amended to change "three (3)" to "four (4)" in the first paragraph thereof and to add the following new entry to the list of districts therein: "R-2 Residential Multifamily District."

(i) Section 234-49A(1) [original Section 901, Subdivision 1] is hereby amended to change the reference to "Chapter 179 of the Revised Code of Delaware, 1935" to refer to "Chapter 3 of Title 22 of the Delaware Code."

(j) Section 234-54 [original Section 906] is hereby amended to change the words "to a court of record" to read "to the Superior Court."

(k) Section 234-59 [original Section 1102] is hereby amended to change "twenty-five (\$25.00) dollars" to read "one hundred dollars (\$100.)."

(l) The Summary of Area Regulations at the end of this chapter is hereby amended to add the following new entry: Multifamily Residential R-2: minimum lot area: 40,000 feet; minimum lot width: 100 feet; minimum front yard depth: 30 feet; minimum rear yard depth: 30 feet; minimum side yard depth: 20 feet; maximum building height: 35 feet; maximum lot coverage: 60%.

A. The following sections or chapters are hereby amended to delete the imprisonment provisions therefrom: §§ 80-6 [original Section 6 of Ord. No. 530]; 96-11 [original Section 11 of Ord. No. 539-A]; 118-4 and 118-5 [original Sections (d) and (e) of Ord. No. 523]; 138-24 [original Section 8.3 of an Ord. of 4-10-1991]; 172-7 [original Section 8 of Ord. No. 553]; 190-10 [original Section 10 of Ord. No. 532]; § 222-3 [original Section 584-702 of Ord. No. 584]; § 222-11 [original Section 585-2102 of Ord. No. 585]; § 222-16 [original Section 585-2116 of Ord. No. 585]; § 222-69 [original Section 587-4172 of Ord. No. 587]; § 234-59 [original Section 1102 of an Ord. of 12-18-1962].

B. In addition, gender-specific wording throughout the Code is hereby made gender-neutral; for example, "he," "him" and "his" is changed to "he or she" "him or her" and "his or her" and words like "policeman" are changed to "police officer."

§ 1-9. Incorporation of provisions into Code.

The provisions of this ordinance are hereby made Article I of Chapter 1 of the Code of the Town of Bridgeville, and the sections shall be numbered §§ 1-1 through 1-10, inclusive.

§ 1-10. When effective.

All provisions of the Code shall be in full force and effect on and after the effective date of this ordinance, which shall take effect immediately upon its final adoption.

ADOPTED BY THE COMMISSIONERS OF THE TOWN OF BRIDGEVILLE

June 10, 1996
Date of First Reading

Howard C. Hachey President
Commissioners of Bridgeville

July 8, 1996
Date of Second Reading

Attested

Margaret W. Sipple Secretary
Commissioners of Bridgeville

Seal: